



AUS-2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8398

UNITED STATES OF AMERICA,

Plaintiff,

v.

Joel PARRA-Gutierrez

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On or about May 7, 2008, within the Southern District of California, defendant Joel PARRA-Gutierrez did knowingly and intentionally import approximately 74.92 kilograms (164.82 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[Signature]
Douglas A. Struckmeyer
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 9th
DAY OF MAY, 2008.

[Signature]
RUBEN B. BROOKS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.
Joel PARRA-Gutierrez

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4 STATEMENT OF FACTS

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6 This complaint is based upon the personal observations, investigation and
7 information provided to U.S. Immigration and Customs Enforcement Special Agent
8 Douglas Struckmeyer.

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10 On May 7, 2008, Joel PARRA-Gutierrez entered the United States at the
11 Andrade Port of Entry. PARRA was the driver and sole occupant of a 1993 Ford F-150
12 pick-up truck registered in his name. Customs and Border Protection Officer (CBPO)
13 M. Tagaban received a negative Customs declaration from PARRA. During the primary
14 inspection CBPO Tagaban noticed that PARRA's hands were shaky. CBPO Tagaban
15 tapped the vehicles tires, including the spare tire, and determined that they appeared to
16 have been tampered with. CBPO Tagaban referred PARRA to secondary for further
17 inspection.
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19 CBPO S. Brown encountered PARRA in the secondary inspection area. CBPO
20 Brown noted that PARRA was speaking very quickly and appeared jittery. CBPO
21 Brown used an electronic device to measure the density of the spare tire on PARRA's
22 vehicle. The reading on the device indicated that the spare tire was more dense than it
23 should be. The spare tire was opened and several packages were revealed.
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25 After further inspection, CBP Officers discovered a total 49 packages hidden
26 within the spare tire and the four driving tires of the vehicle. The packages contained a
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1 green leafy substance which field-tested positive for marijuana. The total weight of the
2 packages was 74.92 kilograms.

3 Special Agent's (SA) Douglas Struckmeyer and Brandon Wood interviewed
4 PARRA. SA Struckmeyer furnished PARRA with his constitutional rights per Miranda
5 in Spanish with S/A Wood present. PARRA orally waived his rights, as well as signing
6 the written waiver of rights, agreeing to make a statement.
7

8 PARRA stated that he knew the vehicle contained marijuana. He said that he
9 was hired to drive the vehicle into the United States and that he was going to be paid
10 \$800 for smuggling the marijuana into the United States.
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12 PARRA was arrested by ICE Agents for violations of 21 USC 952 and 960,
13 Importation of Marijuana. PARRA was booked into the Imperial County Jail, El Centro,
14 California, pending an appearance in U.S. Magistrate Court.
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